

### **REMARKS**

The Office Action mailed 20 March 2009, has been received and its contents carefully noted. The pending claims, claims 34, 73-74, 99-107 and 109-113, were rejected. By this amendment, claims 99, 103 and 107 have been amended. Support may be found in the specification and the claims as originally filed. No statutory new matter has been added. Therefore, reconsideration and entry of the claims as amended are respectfully requested.

#### **Rejection under 35 U.S.C. 112, second paragraph**

The Examiner rejected the claims under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, the Examiner deemed that the claims lacked antecedent basis.

Applicants have amended the claims to provide antecedent basis. Therefore, Applicants respectfully assert that the claims, as amended, are clear and definite and the rejection under 35 U.S.C. 112, second paragraph, should properly be withdrawn.

#### **Provisional Non-Statutory Double Patenting Rejection**

The Examiner provisionally rejected claims 34, 73-74, 99-107 and 109-113 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-25 of copending USSN 11/516,419.

Applicants submit herewith a terminal disclaimer and the requisite fee. Therefore, this provisional non-statutory double patenting rejection should properly be withdrawn.

#### **Request for Interview**

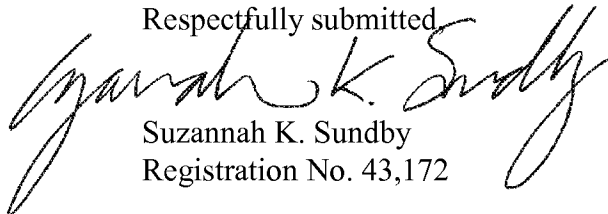
Either a telephonic or an in-person interview is respectfully requested should there be any remaining issues.

### CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Therefore, it is respectfully requested that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Official action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. 1.136(a), and any fees required therefor are hereby authorized to be charged to **Deposit Account No. 024300**, Attorney Docket No. **033972.008**.

Respectfully submitted



Suzannah K. Sundby  
Registration No. 43,172

Date: 7 July 2009  
SMITH, GAMBRELL & RUSSELL, LLP  
1130 Connecticut Ave., NW, #1130  
Washington, D.C. 20036  
Telephone: (202) 263-4332  
Fax: (202) 263-4352  
ssundby@sgrlaw.com